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## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

	-X	
In re:	:	Chapter 11
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	Case No. 08-13555 (JMP)
Debtors.	:	(Jointly Administered)
	3.7	

## NOTICE OF WITHDRAWAL OF OBJECTION OF HOTSPOT TO DEBTORS' PROPOSED CURE AMOUNT IN CONNECTION WITH ASSUMPTION AND ASSIGNMENT OF EXECUTORY CONTRACTS AND RESERVATION OF RIGHTS TO PURSUE CLAIMS AGAINST THE DEBTORS

Hotspot FXr LLC and Hotspot FXi, LLC (collectively, "Hotspot"), by its undersigned counsel, hereby withdraws its *Objection of Hotspot to Debtors' Proposed Cure Amount in Connection with Assumption and Assignment of Executory Contracts* (the "Objection") that was filed on October 10, 2008 [Docket No. 800], and reserves its rights to pursue all claims it has against the Debtors, on the following grounds:

- 1. On or about September 20, 2008, the Bankruptcy Court for the Southern District of New York entered the *Order Under 11 U.S.C. §§ 105(a), 363, and 365 and Federal Rules of Bankruptcy Procedures 2002, 6004 and 6006 Authorizing and Approving (A) the Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Leases* [Docket No. 258] (the "Sale Order"). Pursuant to the Sale Order, the Debtors attempted to assume and assign certain contracts, described further below, to Barclays Capital Inc. ("Barclays").
- 2. Hotspot was included in the schedule of contracts designated for assumption and assignment to Barclays. The proposed cure amount for Hotspot, however, was erroneously listed

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as "\$0." By its Objection, Hotspot sought to correct the cure amount in connection with (i) the

ISDA Master Agreement, dated as of May 8, 2007 (the "ISDA Agreement"), with Lehman

Brothers Commercial Corporation ("LBCC"), pursuant to which an amount of \$409,979 held at

LBCC (account number 27090011) remains due and owing to Hotspot; and (ii) the Participating

Financial Institution Agreement, dated July 21, 2005 (the "PFI Agreement" and collectively with

the ISDA Agreement, the "Hotspot Contracts"), with LBCC, pursuant to which an amount of

\$87,753.17 was due and owing to Hotspot.

Following Hotspot's Objection, Barclays informed Hotspot that the Hotspot 3.

Contracts could not be assumed and assigned to Barclays because LBCC was not a debtor at the

time the Sale Order was entered by the Bankruptcy Court. Nonetheless, Hotspot and Barclays

have reached a consensual resolution with respect to one of the Hotspot Contracts. Specifically,

Barclays agreed to cure the outstanding arrearages of the Debtors with respect to the PFI

Agreement in the amount of \$87,753.17 in exchange for Hotspot continuing to provide services

to Barclays under the PFI Agreement.

4. Notwithstanding the above, the amount of \$409,979 held in the LBCC account

remains due and owing to Hotspot by the Debtors. As such, Hotspot expressly reserves its right

to pursue its claims against the Debtors with respect to this and any additional amounts.

Dated: New York, New York

March 31, 2009

Respectfully submitted,

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